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09/673,161	10/11/2000	Thomas Ralph Edward Greenwell	ORII2 001 APC	2199

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EXAMINER

EL HADY, NABIL M

ART UNIT PAPER NUMBER

2154

DATE MAILED: 03/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/673,161

Applicant(s)

GREENWELL, THOMAS RALPH  
EDWARD

Examiner

Nabil M El-Hady

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 24-52 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 24-52 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

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1. Claims 1-23 are canceled, claims 24-46 are original, and claims 47-52 are new.

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claim 24 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Nothing in applicant's specification is written to disclose that the single messaging application is running by the same device on which the message is displayed.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 24-29, 34, 35 and 45 are rejected under 35 U.S.C. 102(e) as being anticipated by Luzeski et al. (US 6,430,177), hereinafter "Luzeski".

6. As per claim 24, Luzeski teaches a method of manipulating electronically generated messages belonging to at least two of the following messages types: e-mail, fax, video, pager, SMS, voice mail (e.g. Abstract); comprising handling the electronically generated messages using a single messaging application (e.g. Abstract).

7. As per claim 25, Luzeski teaches the method of manipulating electronically generated messages wherein the single messaging application handles attributes of messages, these attributes being shared by all of the message types (e.g. col. 13, lines 47-52).

8. As per claim 26, Luzeski teaches the method of manipulating electronically generated messages wherein the single messaging application invokes or applies operations to the attributes of the messages, these operations being applicable to all the message types which are capable of being manipulated by the single messaging application (e.g. col2. 13 and 14, lines 63-67 and 1-4 respectively).

9. As per claim 27, Luzeski teaches the method of manipulating electronically generated messages wherein the messaging application interfaces with one or more databases of loadable software code modules relating to at least one of message type specific attributes and operations (e.g. col. 5, lines 46-62).

10. As per claim 28, Luzeski teaches the method of manipulating electronically generated messages, wherein a new messaging type can be dynamically added to a system whilst the

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system is fully operational by adding new loadable software code modules to one or more databases (e.g. cols. 5 and 6, lines 32-37 and 6-10 respectively).

11. As per claim 29, Luzeski teaches the method of manipulating electronically generated messages wherein all user interface code is accessed through a database using loadable software code modules (e.g. col. 8, lines 11-20).

12. As per claim 34, Luzeski discloses a software program messaging application capable of manipulating electronically generated messages belonging to at least two of the following messages types: e-mail, fax, video, pager, SMS, voice mail (abstract).

13. As to claim 35, Luzeski discloses a computer operating system comprising a single messaging application operable to handle at least two of the following messages types: e-mail, fax, video, pager, SMS, voice mail (abstract).

14. As to claim 45, Luzeski discloses an electronic communications apparatus programmed to perform a method of manipulating electronically generated messages belonging to at least two of the following messages types: e-mail, fax, video, pager, SMS, voice mail; comprising a single messaging application component handling the electronically generated messages(abstract).

15. Claims 30-33,36-39,42-44 and 46 are rejected under 35 U.S.C. 102(e) as being anticipated by Jennings et al. (US 6,430,174) (hereinafter Jennings).

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16. As per claim 30, Jennings shows a software program for manipulating messages of a given type, comprising loadable software code modules capable of interfacing with a single messaging application, the loadable software code modules relating to at least one of message type specific attributes and operations and the single messaging application being operable to manipulate electronically generated messages belonging to at least two of the following message types: e-mail, fax, video, pager, SMS and voicemail (e.g. Abstract and col. 5, lines 60-67, Handheld Device Markup language and JAVA are both capable of running different plug-ins during runtime).

17. As per claim 36, it is rejected for similar reasons as stated above.

18. As per claim 46, it is rejected for similar reasons as stated above.

19. As per claim 31, Jennings shows the software program wherein the software program is a dynamically loadable plug-in to the single messaging application (e.g. col. 5, lines 60-67, Handheld Device Markup language and JAVA are both capable of running different plug-ins during runtime).

20. As per claim 43, it is rejected for similar reasons as stated above.

21. As per claim 32, Jennings shows the software program wherein each loadable software code module is individually capable of enabling the execution of one or more tasks including:  
a) Reporting to the single messaging application functional capabilities of one or more loadable software code modules; b) Supplying text for on-screen menus; c) Creating, editing, displaying

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messages; d) Converting messages to be sent by the application to a protocol and format required by an external recipient and a conversion of messages received by the application to a protocol and format required by the single messaging application (e.g. col. 5, lines 55-67).

22. As per claim 37, it is rejected for similar reasons as stated above.

23. As per claim 33, Jennings shows the software program wherein the loadable software code is object-oriented code, which creates real objects to execute a task (e.g. col. 5, lines 46-54).

24. As per claim 42, it is rejected for similar reasons as stated above.

25. As per claim 38, it is rejected for similar reasons as stated above.

26. As per claim 44, it is rejected for similar reasons as stated above.

27. As per claim 39, Jennings shows the method of manipulating electronically generated messages, wherein the messaging application can handle at least two of the following messages types: e-mail, fax, video, pager, SMS, voicemail (e.g. col. 15, lines 47-54).

28. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having

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ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

29. Claims 40 , 41, and 47-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jennings in view of Luzeski.

30. As per claim 40, Jennings does not specifically show the method of manipulating electronically generated messages wherein code to manipulate each message type is accessed using several databases, each having loadable software code modules, each database individually providing code modules relevant to the execution of one or more of said tasks. Luzeski shows the method of manipulating electronically generated messages wherein code to manipulate each message type is accessed using several databases, each having loadable software code modules, each database individually providing code modules relevant to the execution of one or more of said tasks (e.g. (e.g. col. 5, lines 46-62). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Jennings and Luzeski. The motivation would have been for easier access to the loadable software modules.

31. As per claim 41, it is rejected for similar reasons as stated above.

32. As per claims 47-52, the claims are rejected for the same reasons as claims 24, 26, 27, 30, and 40 above.

33. Applicant's arguments filed 12/3/2004 have been fully considered but they are not persuasive.



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34. In the remarks, applicants argued in substance that Luzeski does not (1), disclose the use of a single messaging application that runs by the same device on which the messages are displayed; (2) teach or suggest every element of claims 34, 35, and 45; (3) disclose a single messaging application that handles attributes of messages; (4), disclose invoking or applying operations to the attributes of the messages; (5); disclose modules relating to the message type; (6), disclose dynamic addition to new messaging type; (7), disclose user interface code is accessed through a database using loadable software code modules; and Jennings does not (8)disclose loadable software code modules; (9) disclose dynamically loadable plug-in; (10) disclose loadable software code that is object oriented code. Examiner respectfully traverses applicants' remarks

35. As to point (1),first, examiner asserts that nothing in applicant's specification shows that the single messaging application is running by the same device on which the message is displayed. Second, the concepts disclosed by the applicant of a single messaging application is independent of where to place the application, namely, using the application as a client application or as a server application. Third, the concept a single messaging application running by the same device on which the messages are displayed is well known as prior art ,see, for example, Huang et al, Multimedia E-mail, cited by the applicant in IDS filed 1/16/2001; and Jennings et al. , US 6,430,174, which discloses in col. 8, lines 59-65 that a universal inboxes which required application programs running on the client is a prior art.

36. As to point (2), examine asserts that all the limitations in claims 34, 35, and 45 are disclosed by luzeski.

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37. As to point (3)-(7), Luzeski discloses handling attributes of messages (col. 13, lines 48-51; and col. 16, lines 25-60), attributers that are being shared by all messages type; invoking or applying operations to the attributes of the messages (e.g. attachment attribute, col. 16, line 61 to col. 17, line 26); disclose modules relating to the message type (col. 17, lines 2-18); disclose dynamic addition to new messaging type (CUSTOM PLUG-INS, Fig. 4A); and disclose user interface code is accessed through a database (col. 5, lines 65 to col. 6, line 5).

38. As to points (8)-(10), Jennings discloses loadable software code modules; discloses dynamically loadable plug-in (col. 5, lines 60-67; HDML and JAVA enabled devices are capable of running plug-in); and discloses loadable software code that is object oriented code (col. 5, lines 51-54).

39. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

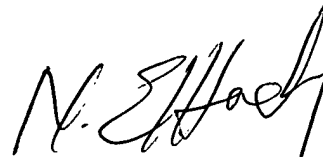
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340. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nabil M El-Hady whose telephone number is (571) 272-3963. The examiner can normally be reached on 9:00 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

March 9, 2005



Nabil El-Hady, Ph.D, M.B.A.  
Primary Patent Examiner  
Art Unit 2154